

REMARKS/ARGUMENTS

Claims 1-4 are pending in the present application. Claims 5-11 were canceled. No claims were added or amended. This application is believed to be in condition for allowance.

I. 35 U.S.C. § 101

The Examiner has rejected claims 8-11 under 35 U.S.C. 101 because claims 8-11 fail to fall within a statutory category of invention.

In rejecting the claims, the Examiner states:

It is directed to the program itself, not a process occurring as a result of executing the program, a machine programmed to operate in accordance with the program nor a manufacture structurally and functionally interconnected with the program in a manner which enables the program to act as a computer component and realize its functionality. It's also clearly not directed to a composition of matter. Therefore, it's non-statutory under 35 USC 101.

Office Action dated January 4, 2008, page 2.

By the present Amendment, claims 8-11 have been canceled. Accordingly, the rejection of the claims under 35 U.S.C. 101 is now moot.

II. Allowable Subject Matter

Claims 1-7 are allowed. By the present Amendment, allowed claims 5-7 and rejected claims 8-11 were canceled from further consideration in this application. Applicants are not conceding that the subject matter encompassed by claims 5-11 is not patentable. Claims 5-11 were canceled in this Amendment solely to facilitate expeditious prosecution of allowed claims 1-4. Applicants respectfully reserve the right to pursue the canceled claims and additional claims in one or more continuing applications.

III. Conclusion

This application is believed to be in condition for allowance, and it is respectfully requested that the Examiner so find and disuse a Notice of Allowance in due course.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: April 3, 2008

Respectfully submitted,

/Gerald H. Glanzman/

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